

BOARD OF DIRECTORS – ACTION SUMMARY
Wednesday, January 26, 2005 – 6:00 p.m.

Administration Building
2101 Hurley Way, Sacramento, CA

CALL TO ORDER

The meeting was called to order by Vice President Engellenner. Board Members present: Duveneck, Engellenner, Goold, Jones, Kelly, Lawson, Trujillo, Valley. Director Granados, absent. Staff: Fire Chief Martinez, Board Clerk Tilson, General Counsel Price.

PLEDGE TO FLAG

PUBLIC OPPORTUNITY TO DISCUSS MATTERS OF PUBLIC INTEREST WITHIN DISTRICT JURISDICTION INCLUDING ITEMS ON OR NOT ON THE AGENDA

Wes Schultz, retired Sacramento Metro Fire Battalion Chief, thanked the Board for a plaque he received for his work on the development of the District 2003 Historical Yearbook which means so much to him.

He presented Fire Chief Martinez an autographed book entitled Firefighter's Handbook on Wildland Firefighting.

CONSENT AGENDA:

1. Board Meeting Action Summary—January 12, 2005
2. Resolution No. 01-05—Commendation—Russell E. Knierim
3. Resolution No. 02-05—Commendation—Richard L. Murdock
4. Resolution No. 03-05—Commendation—James J. Learmonth
5. Resolution No. 04-05—Commendation—Cheryl E. Root
6. Resolution No. 05-05—Commendation—Janice S. Simcoe
7. Resolution No. 06-05—Commendation—David R. Massengale
8. Resolution No. 07-05—Commendation—Anita M. Wright
9. Resolution No. 08-05—Commendation—Mark P. Patterson
10. Resolution No. 09-05—Commendation—Randolph R. Clover
11. Resolution No. 10-05—Commendation—Timothy L. Martin
12. Resolution No. 11-05—Commendation—Terry L. Benevent

- **Board Action:**
Lawson/Duveneck—approve the Consent Agenda. Directors Duveneck, Engellenner, Goold, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Director Granados, absent. Motion carried.

ACTION ITEM(S)**1. Access Security Management System—(Martinez)**

- On September 8, 2004, The Board approved the bid from Alarms Unlimited of Sacramento to install security hardware in eight separate sites for \$146,929, with \$100,000 being grant money earmarked only for security projects.
- Due to additional security concerns, staff is proposing to increase the scope of security management throughout the District by approaching the project in two phases.
 - Phase 1 – Completion of administrative facilities to a much higher level. During this phase, preparations for expansion of the security management system to all fire stations would begin.
 - Phase 2 – Installation of access security management to all fire stations.
- A future staff report will be presented to the Board for Phase 2 inclusive of a funding recommendation.
- Staff recommends approval and authorize the Fire Chief to expand the contract with Alarms Unlimited of Sacramento to \$312,129 for Phase 1 of the District's access security management system.

Discussion

- Suggest vendors be allowed to bid on an entire project in the future with different phases included in the package.
- This project is an expansion of the same electronic key system. Many projects are sole sourced.
- **Board Action:**
Goold/Duveneck—approve staff recommendation. Directors Duveneck, Engellenner, Goold, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Director Granados, absent. Motion carried.

2. Agreement for Services with American Medical Response—(Cantelme)

- AMR will continue to provide prehospital emergency medical services to the District at the same level currently provided under the terms of the Agreement.
- Two-year contract effective February 1, 2005 through January 31, 2007, with options to extend for a period of two one-year terms. Amendments may be made with the mutual consent of both parties with both parties retaining the right to terminate the agreement, without cause, upon 180 days written notice.
- No significant changes from the previous two-year agreement, which expired on December 1, 2004 while negotiations were in progress. Both parties agreed in a signed letter on an extension until Board action is taken.
- Based on AMR's 2004 call volume, the projected revenue in the first year of this agreement is approximately \$450,000 payable in 12 monthly payments.
- Staff recommends the Fire Chief be authorized to execute an agreement with AMR to provide prehospital emergency medical services to the District.

Discussion

- Director Goold requested modification of Section 35.2 under Paramedic Training which limits properly trained paramedic field preceptorships and paramedic student positions on AMR ambulances to only two SMFD sponsored paramedic students per year. AMR has seven ALS ambulances and a larger number of local community members should be given priority for the AMR sponsored internship.
- **Board Action:**
Continued to the next Board meeting on February 9, 2005.

3. Resolution No. 13-05—Incapacity to Perform Essential Job Functions—Logistics Technician Damien Barrett— (Appel)

- Industrial Disability Retirement Application filed with the Public Employees' Retirement System.
- Mr. Barrett has not made sufficient contributions to PERS toward his retirement account equal to a disability retirement allowance. As a result, if the CalPERS Board approves an Industrial Disability Retirement, there would be a fiscal impact to the District in an amount that cannot be calculated without an actuarial study.
- Government Code Section 21156 requires a determination for Industrial Disability Retirement for miscellaneous members of PERS be based on "medical examination and other available information" satisfactory to the CalPERS Board.
- Recommend adoption of the Resolution finding that based on medical information, Damien Barrett is incapacitated for the performance of duties as a Logistics Technician with the District, and forward the Resolution to the PERS for their determination on his Industrial Disability Retirement application.
- **Board Action:**
Jones/Goold—Adopt the Resolution. Directors Duveneck, Engellenner, Goold, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Director Granados, absent. Motion carried.

PRESENTATION ITEMS(S)

1. Response to Audit Request for FY Ending June 30, 2004—(Houghton/Matré)

- Alan Matré, Chief of Audits for the County of Sacramento, submitted a two-page letter in response to audit requests from Directors Granados and Trujillo.
- Areas requested for review include the Air Operations Division, the District's vehicle policy and usage, the Paramedic Internship Program, District staffing levels, and other areas of the District's operations.
- Most of the additional work requested would not be covered as part of the Annual Audit. Fixed assets of the District is the only item that would be covered if properly categorized. The remaining items would need to be an additional engagement after the annual audit is completed which is on a tight deadline to issue a report by March 15, 2005 for the fiscal year ending June 30, 2004, due to the District's pension obligation bond requirements.

- The estimated cost for an agreed upon procedure to review all items in both requests is between \$100,000 and \$200,000 or more.

It was felt that less costly options are available.
- The County Auditor's Office is capable of performing the audit requested but unable to start until Fiscal Year 2005-2006.
- In response to Director Lawson on a standard audit schedule, Mr. Matré stated he had no problem providing the Board with their audit planning memo and the audit program with a table of contents on where everything is located.
- Outside auditor or internal auditor is an option for the additional information requested.
- **Board Action:**
Refer to the Policy Committee for their meeting of February 9 to determine support for an outside audit or other options such as a cost analyst.

2. Final Audit Report for Fiscal Year 2003—(Houghton/Auditor Matré)

Presentation of the final audit report for the fiscal year ending June 30, 2003.

Referred to the following report dated July 15, 2004:

- Auditor's Report on Compliance and on Internal Control Over Financial Reporting Based on an Audit of Financial Statements Performed in Accordance With Government Auditing Standards.

Noted under Compliance:

The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

Contains the one prior year finding of the material weakness of the Fixed Assets, with significant improvement noted in the current year audit.
- Introduction of Cynthia Henderson, Senior Auditor for the County of Sacramento Department of Finance.
- **Board Action:**
Report filed as an Audit of Record.

3. U.S. Fire Administration Final Report—Arson/Fire Investigation Unit Technical Assistance—(Stewart)

- Deputy Fire Marshal Mike Stewart introduced Supervising Investigator Tom McKinnon, Fire Investigators John Barsdale and Larry Stanton.
- Brief overview of the program was presented to include:
 - TriData Corporation conducted a management review of the District's Fire Investigation Unit in July 2004. TriData was under contract to the U.S. Fire Administration, which funded the review through a federal grant.
 - The final report with recommendations was provided to the District this month. The U.S. Fire Administration requests that the District implement as many of the recommendations, as practical, as a condition of the grant.
 - The final report notes a very productive fire investigation unit due to the highly motivated group of fire investigators present tonight.
 - Findings with recommendations were made in several areas, which includes the staffing, work schedules, and to formalize processes used in the program.
 - The final report noted that in 2002 and 2003, SMFD Fire Investigators cleared an outstanding 57 percent of their cases, cleared by arrest. The national average cleared is 16.5 percent.
- Staff submitted an eight-page Executive Summary of the USFA Final Report containing the list of recommendations with a recommended implementation plan.

The complete USFA Final Report of December 2004 was distributed at the meeting to the Board members for information.

- Staff recommended the Board receive the report and reconstitute the Board's Fire Investigation Committee to provide further review and make recommendations on implementation of the findings in the Final Report.
- Director Duveneck volunteered to be on the Ad Hoc Subcommittee along with Directors Jones, Lawson, and Trujillo.

- Fire Chief Martinez recommended the Ad Hoc Subcommittee meet and review the recommendations prior to placing this item back on the Agenda. The staff report contains responses to the USFA recommendations and is very well done.

He acknowledged Deputy Fire Marshal Stewart for his work and the support of the Fire Investigators in a team effort.

- **Board Action:**
Refer to the Ad Hoc Subcommittee for review and report back to the Board.

4. Pension Funding Bonds – Early Payoff Policy—(Appel)

- A three-page draft policy accompanied by an explanatory sheet of the calculation formulas contained in the spreadsheet illustrating plans for early payoff of the pension funding bonds was submitted by staff.

The spreadsheet targeted early payoff in 19 years instead of 30 years without incurring any prepayment penalties. Early payoff would result in a savings of approximately \$40 million over the 30-year life of the bonds.

- The Finance Committee reviewed the policy and was in support.
- **Board Action:**
Policy to be brought back to the Board for adoption at a future meeting.

5. Participation in 2005/06 TRAN Program—(Appel)

- The TRAN is a short-term tax-exempt bond issued by public agencies creating additional revenue. Because the TRAN yield (interest paid to purchasers of the bonds) is less than the interest the District can earn through other investments, a positive cash advantage can be achieved.
- The District has participated in a Pooled TRAN program through RBC Dain Rauscher, Inc. (formerly Sutro Company) since the 1994/95 fiscal year; currently the 2004/05 TRAN money is invested with Wells Fargo Bank, National Association in a Guaranteed Investment Contract (GIC), with an estimated net revenue return of approximately \$150,000.
- Recommends staff be authorized to contact RBC Dain Rauscher, Inc. to explore the possibility of the District's participation in a 2005/06 Pooled TRAN.
- **Board Action**
General consensus to approve the staff recommendation.

PRESIDENT'S REPORT—President Granados out-of-town on company business.

FIRE CHIEF'S REPORT—(Martinez)

- March 7, 2005 @ 6 p.m. – Annual Award Ceremony to be held at the Sacramento Association of Realtors, 2003 Howe Avenue
- February 1, 2005 @ 7 p.m. – Arden Park Homeowner's Association meeting to be held at the Arden Park Community Center. Director Duveneck and members of staff to attend.
- Incident occurred last Monday – firefighter injured while operating on a vehicle fire and was struck with a portion of the piston body of the gas hood strut used to hold the front hood of the vehicle open. Similar incident on Tuesday with no injuries. Safety Memo issued to all personnel on the hazard and doing additional research.
- At the direction of the Board President, DVDs of all Board meetings and the workshop will be provided to all stations and work locations for viewing.

GENERAL COUNSEL'S REPORT—(Price)

- Director Engellenner inquired at the workshop about charging non-residents a different rate for ambulance transport than district residents. The District is enabled under legislation to recover a number of its costs including the ambulance fees. The ambulance fees cannot be more than our actual cost to render the service. The Health & Safety Code provides that residents can be charged less for a service than others. In answer to the question, non-residents can be charged more but only if residents are charged less than the actual cost.

COMMITTEE AND DELEGATE REPORTS:

Executive Committee—(Granados)

- Next meeting: TBA

Communications Center Delegate—(Engellenner)

- An additional \$42,000 may be recovered from the parties who damaged the ground pipe resulting in water damage.
- Next meeting: February 22, 2005 – 10:30 AM

California Fire & Rescue Training Authority—(Goold)

- Next meeting: January 28, 2005 – 10:00 AM

Finance Committee—(Jones)

- Election: Chair—Director Jones, Vice Chair—Director Kelly
- Next meeting: February 23, 2005 – 5:00 p.m.

Policy Committee—(Trujillo)

- Next meeting: February 9, 2005 – 5:00 p.m.

INFORMATION ITEMS:**Newspaper Articles**

1. Marin Independent Journal “Joining Forces” 01/05

BOARD MEMBER QUESTIONS AND COMMENTS:**Lawson:**

- Requested information be provided to the Board of Directors on things happening within their division. Agreed with the need to be supportive of actions at the community level.
- Requested a calendar of community events be provided to the Board if possible.
- Thanked Chief Hartley and Stations 106 and 110 for their support in some community service events during the holidays.
- Father-in-law suffered a heart attack yesterday. Extended his personal appreciation to the crew of Unit 62 who responded in less than four minutes.

Trujillo:

- Inquired if training is being conducted at 84 Lumber on Florin Road. Fire Chief Martinez stated no.

Kelly:

- Appreciates appointment as Vice Chair of the Finance Committee.

Goold:

- Extended his support to the Sacramento City Fire Department.
- Supported the concept of a hotline to let our firefighters know if they have issues to contact us for resolution rather than the Sacramento Bee.

Engellenner:

- Attended the Rio Linda-Elverta Historical Society meeting yesterday with Deputy Chief Plessas.

Deputy Chief Plessas explained that the issue revolves around Station 111. The Historical Society has a Rio Linda downtown revitalization plan in place, with the original train station revitalized already. At some future point in time they would like to acquire the fire station. He and the Fire Chief have both been there but this is a policy issue for the Board on disposal of real property, taking into consideration there are other like facilities in our District. Suggested the group contact Director Engellenner since Station 111 is in his division to see if he would be supportive and bring it back to the Board for consideration in the future.

Fire Chief Martinez stated he informed the group that the District has a plan to relocate the fire station but it is the Board's responsibility and authority to declare it surplus and decide disposition. Strongly suggested a policy be developed on facility disposal to provide a uniform process to follow.

No commitment has been made on behalf of the District except that Director Engellenner would support placing an item on the agenda for presentation to the Board. Unless the Board directs otherwise, Fire Chief Martinez will work with the Board President to do that at a future date.

CLOSED SESSION 7:55 PM**RECONVENE TO OPEN SESSION 8:17 PM**

Report by General Counsel Price:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to California Government Code Section 54956.9(a) – One (1) Case

Damien Barrett vs. Sacramento Metropolitan Fire District
Claim Number 6221030593

The Board received medical information concerning this claim.

Resolution for consideration under Action Item #3 on the Agenda.

2. LABOR NEGOTIATIONS

Pursuant to California Government Code Section 54957.6

District Negotiator: Fire Chief Rick Martinez

Employee Organization: Sacramento Area Fire Fighters Local 522

Discussed certain remaining items relative to negotiations with Local 522. No action was taken.

ADJOURNMENT:

The meeting was adjourned at 8:20 p.m.

Gregory A. Granados, President

Matt Kelly, Secretary

Charlotte Tilson, Clerk of the Board